



DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

[Project No. 10481-000]

Eagle Creek Hydro Power, LLC, Eagle Creek Water Resources, LLC, Eagle Creek Land Resources, LLC; Notice of Authorization for Continued Project Operation

On March 31, 2020, Eagle Creek Hydro Power, LLC, Eagle Creek Water Resources, LLC, and Eagle Creek Land Resources, LLC, (collectively referred to as Eagle Creek) co-licensees for the Mongaup Falls Hydroelectric Project No. 10481, filed an application for a new major license. The Mongaup Falls Hydroelectric Project is located on the Mongaup River and Black Brook in Sullivan County, New York.

The license for Project No. 10481 was issued for a period ending March 31, 2022. Section 15(a)(1) of the FPA, 16 USC 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee(s) under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 USC 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 10481 is issued to Eagle Creek for a period effective April 1, 2022 through March 31, 2023 or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before March 23, 2023, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that Eagle Creek is authorized to continue operation of the Mongaup Falls Hydroelectric Project, until such time as the Commission takes final action on the application for a new major license.

Dated: April 5, 2022.

Kimberly D. Bose,

Secretary.

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